

EXHIBIT

A

From: [Smith, Will](#)
To: [Jamie Frawley](#)
Cc: [Goldfarb, Jon C.](#); [Henderson, Brooke](#); [Malmat, Christina](#)
Subject: RE: Kelly v. Smith et al
Date: Tuesday, January 30, 2024 9:03:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Jamie:

Please send me some dates for the individual defendants in the Kelly case to be deposed in March. And please let me know when you are available to discuss the missing interrogatory responses. I can be available any day this week. We need to have those responses in hand well before deposition dates.

Also, our subpoena to Walker County Sheriff's Office in this case included, among other requests, the two requests pasted below. To date, we have received no documents responsive to these two requests. These requests are unique to this case because the employment context of Ms. Kelly's claims makes comparator evidence relevant. Please produce the below information along with the verified interrogatory responses for each defendant on or before February 15, 2024.

Thanks,

Will Smith

20. Provide the personnel files of any employee who recorded videos from the WCSO cameras or who was accused of sharing such videos, along with any and all documents related to their employment, conduct, or performance, including but not limited to their applications, disciplines, write-ups, performance evaluations, work schedules, time records, records showing the dates and times they worked, electronically stored information relating to them, any audio and/or video recordings that relate to them, all documents related to any investigation concerning them and any and all other documents related to their employment, conduct, or performance.

21. For any employee who recorded videos from the WCSO cameras or who was accused of sharing such videos, provide all documents related to any investigation into the incident, including but not limited to the complete investigative file, all notes, interview transcripts, statements, photographs, videos, recordings, and all documents showing the outcome of the investigation and any disciplinary action, including termination, issued to the employee.

L. William Smith

wsmith@wigginschilds.com · Direct:205-314-0528

From: Jamie Frawley <JFrawley@WMWFIRM.COM>
Sent: Friday, December 22, 2023 12:51 PM
To: Smith, Will <wsmith@wigginschilds.com>
Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>
Subject: RE: Kelly v. Smith et al

I have attached a master list of documents that have been provided in the both cases (not including video and recordings). After review, the main thing that I agree is missing is the full download of the phone, which will be provided. I also note that we did not produce the Walker County Civil Service rules (because Ms. Kelly was still in her probationary period), but I am happy to do so. I did not realize that the interrogatory responses in Kelly were not provided with the others; those will be.

| **Jamie Helen Kidd Frawley**



WEBB MCNEILL WALKER PC
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36104
Post Office Box 238 | Montgomery, AL 36101-0238

Email: jfrawley@wmwfirm.com
Phone: 334-262-1850 | Fax: 334-262-1772
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From: Smith, Will <wsmith@wigginschilds.com>
Sent: Thursday, December 21, 2023 8:28 AM
To: Jamie Frawley <JFrawley@WMWFIRM.COM>
Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>
Subject: RE: Kelly v. Smith et al

So – we still don't have responses to RFP or rog answers. I am thinking we need to set up a conference with the judge to discuss. I am heading out of the office tomorrow but could be available next week.

Thanks,

L. William Smith
wsmith@wigginschilds.com · Direct:205-314-0528

From: Jamie Frawley <JFrawley@WMWFIRM.COM>
Sent: Wednesday, December 13, 2023 4:51 PM
To: Smith, Will <wsmith@wigginschilds.com>
Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>
Subject: Re: Kelly v. Smith et al

I have been out of the office with illness. I am still investigating because I was under the impression those were sent in one of the emails. I will have a more definitive answer tomorrow.

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From: Smith, Will <wsmith@wigginschilds.com>
Sent: Tuesday, December 12, 2023 5:21:38 PM
To: Jamie Frawley <JFrawley@WMWFIRM.COM>
Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>
Subject: Re: Kelly v. Smith et al

Hi Jamie,

Just following up on this. One document that I know has not been produced is the image of Karen's phone that was downloaded. In further follow up, when can I expect written interrogatory and RFP responses so that we can have a constructive discussion?

Thanks,

L. William Smith

wsmith@wigginschilds.com · Direct:205-314-0528

From: Jamie Frawley <JFrawley@WMWFIRM.COM>

Sent: Thursday, December 7, 2023 3:21 PM

To: Smith, Will <wsmith@wigginschilds.com>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: RE: Kelly v. Smith et al

Will,

Discovery specific to this case was produced on August 22 and 23rd, including documents bates-labeled as "Walker County Defendant Kelly" and a recording. I thought that interrogatory responses had also been produced, but I am checking to make sure that they did not get sent with the incorrect case file.

Would you have time Monday to talk through what other specific documents you're looking for?

Thanks,



Jamie Helen Kidd Frawley

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From: Smith, Will <wsmith@wigginschilds.com>

Sent: Wednesday, December 6, 2023 4:49 PM

To: Jamie Frawley <JFrawley@WMWFIRM.COM>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: RE: Kelly v. Smith et al

Jamie:

It appears we still have not received written discovery responses from your clients. We also don't appear to have a document production specific to our discovery responses – only what was produced in the other case. Please let me know your availability for a call regarding these issues this week.

Regards,

L. William Smith

wsmith@wigginschilds.com · Direct:205-314-0528

From: Jamie Frawley <JFrawley@WMWFIRM.COM>

Sent: Friday, July 14, 2023 5:52 PM

To: Smith, Will <wsmith@wigginschilds.com>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: RE: Kelly v. Smith et al

Will,

As I had indicated, these requests and your first email had been flagged and were not delivered. After review, it appears that many of the documents requested have or will be produced in the Mitchell case. As Randy has communicated, we expect a large production early next week. Pursuant to our discussions, since the Mitchell case has already had more documents exchanged – notably including the videos – can we agree that those documents and the Bates numbers associated therewith will be the master copy in both cases?

I also do not show that we have ever received your initial disclosures, including in my quarantined files.

Thank you,



Jamie Helen Kidd Frawley

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From: Smith, Will <wsmith@wigginschilds.com>

Sent: Thursday, July 13, 2023 9:47 AM

To: Jamie Frawley <JFrawley@WMWFIRM.COM>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: RE: Kelly v. Smith et al

Jamie:

I am following up on this. What is the status of these discovery responses?

L. William Smith

wsmith@wigginschilds.com · Direct:205-314-0528

From: Jamie Frawley <JFrawley@WMWFIRM.COM>

Sent: Wednesday, June 28, 2023 12:58 PM

To: Smith, Will <wsmith@wigginschilds.com>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: Re: Kelly v. Smith et al

This email had been flagged, and I did not see it until just now. I will look into this and get back to you .

Thank you,

Jamie

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From: Smith, Will <wsmith@wigginschilds.com>

Sent: Monday, June 26, 2023 11:49:04 AM

To: Jamie Frawley <JFrawley@WMWFIRM.COM>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <bhenderson@wigginschilds.com>; Malmat, Christina <cmalmat@wigginschilds.com>

Subject: RE: Kelly v. Smith et al

Jamie:

The responses to these discovery requests are now overdue. Any objections that might otherwise have been asserted are now waived. Please let me know when your clients intend to provide responses and documents.

Regards,

L. William Smith

wsmith@wigginschilds.com · Direct:205-314-0528

From: Smith, Will

Sent: Friday, May 19, 2023 3:42 PM

To: Jamie Frawley <JFrawley@WMWFIRM.COM>

Cc: Goldfarb, Jon C. <jcg@wigginschilds.com>; Henderson, Brooke <BHenderson@wigginschilds.com>; Malmat, Christina <CMalmat@wigginschilds.com>

Subject: Kelly v. Smith et al

Jamie:

Attached please find Plaintiff's initial discovery requests, along with two subpoenas we intend to issue next Wednesday, May 24. Please advise of any objections to the subpoenas.

Regards,

**WIGGINS CHILDS
PANTAZIS FISHER
GOLDFARB**
Advocates & Litigators

L. William Smith, Member

The Kress Building

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